

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ROCEP LUSOL HOLDINGS LIMITED,	)	
	)	
Plaintiff/Counterclaim Defendant,	)	
	)	
v.	)	Civil Action No. 05-141-KAJ
	)	
PERMATEX, INC., and ULTRAMOTIVE	)	
CORPORATION,	)	
	)	
Defendants/Counterclaimants.	)	

**SUPPLEMENT TO EXHIBIT C OF THE APPENDIX TO  
PLAINTIFF ROCEP LUSOL HOLDINGS LIMITED'S  
BRIEFS IN ANSWER TO DEFENDANTS' OPENING CLAIM CONSTRUCTION  
BRIEF AND DEFENDANTS' OPENING SUMMARY JUDGMENT BRIEFS OF  
NON-INFRINGEMENT AND INVALIDITY**

Respectfully submitted,

ROCEP LUSOL HOLDINGS LIMITED

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**DECLARATION OF ROBERT CANNUSCIO**

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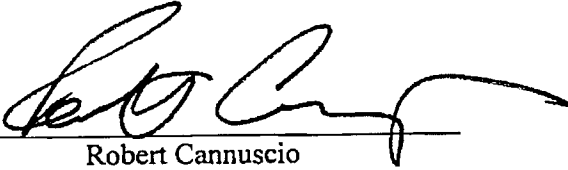
Pursuant to 28 U.S.C. § 1746, I, Robert Cannuscio, do affirm and declare as follows:

1. I am a partner of Drinker Biddle & Reath LLP, counsel for the Plaintiff Rocep Lusol Holdings Limited, and I make this Declaration in support of Plaintiff Rocep Lusol Holdings Limited's Brief in Answer to Defendant's Motion for Summary Judgment of Invalidity.
2. Attached hereto as Exhibit C-1 is a true and correct copy of the Errata Sheet for the Deposition of Bernard Frutin, which was timely prepared in accordance with Federal Rules of Civil Procedure 30 (e).
3. The Errata Sheet supplements Exhibit C of the Appendix for Plaintiff Rocep Lusol Holdings Limited's Briefs in Answer to Defendants' Opening Claim Construction Brief and Defendants' Opening Summary Judgment Briefs of Non-Infringement and Invalidity.

4. The Errata Sheet was initially transmitted via fax to counsel for the Defendants on August 10, 2006.

I hereby declare under the penalties of perjury that the above is true and correct.

Executed on the 16th day of August 2006.



Robert Cannuscio

## **EXHIBIT C-1**

**\*\*\*ERRATA SHEET\*\*\***

NAME OF CASE: Rocep v. Permatex

DATE OF DEPOSITION: 7 / 10 / 06

NAME OF WITNESS: Bernard Frutin

Reason codes:

1. To clarify the record.
2. To conform to the facts.
3. To correct transcription errors.

Page 8, line 5 Reason: 3  
Change - It was a long time. It was a long time.  
To - It was a long time. It was a long time ago.

Page 10, lines 16-17 Reason: 2  
Change - It was called Rocep. That was 1970 something.  
To - It was called Research Organisation for the Control of Environmental Pollution Limited (ROCEP). That was 1973.

Page 10, line 21 Reason: 2  
Change - Yes  
To - Yes, although it changed its name to Rocep Lusol Holdings in 1979.

Page 12, line 13 Reason: 3  
Change - Galbrith  
To - Galbraith

Page 13, line 13 Reason: 2  
Change - It was to supply a company called  
To - Manufacturer of patented Barrier Aerosol Dispensing Systems and assembly and contact filling of BP Aerosols and Chemical Cleaning Fluids. It supplied Henkel and others.

Page 14, line 7 Reason: 1  
Change - selling licenses.  
To - selling licenses and product development.

Page 28, line 16 Reason: 3  
Change - boat  
To - both

Page 44, line 22 Reason: 3  
Change - Linrock  
To - Linroc  
Note: this change should be made throughout the transcript.

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Page 44, line 22 Reason: 2  
Change - Custer. C-U-S-T-E-R.  
To - Coster. COSTER.

Page 59, line 2 Reason: 3  
Change - steal  
To - seal.

Page 66, line 20 Reason: 2  
Change - plastic plug  
To - plastic cone.

Page 66, line 25 Reason: 3  
Change - probably sulphates  
To - polysulphide

Page 68, lines 22-25 Reason: 1  
Change - I think what was meant there was that the standard cone that he has described, which is the top portion of an aerosol, which would normally have any kind of valve in it could be used.  
To - What was meant there was that the patent attorney has described a standard cone, which is the top portion of an aerosol which, in another embodiment, normally would have any kind of valve in it.

Page 69, lines 2-3 Reason: 1  
Change - And I think that reference is to the spray valves, because spray valves is a nonsense.  
To - And I think that reference is to valves in general, including spray valves, because spray valves in the context of this embodiment are nonsense.

Page 69, lines 6-10 Reason: 1  
Change - Spray valve with a tilt valve was a way of identifying the standard cone, which is the standard in the industry top of an aerosol valve which could be put onto that can and then I could put my assembly onto it.  
To - Spray valves and tilt valves was only a way of identifying a standard cone which is the industry standard for the top of an aerosol.

Page 69, lines 10-12 Reason: 1  
Change - I don't think it tells you that you can actually put a tilt action valve on an aerosol spray on this can. That's nonsense.  
To - It does not imply that you can actually put a tilt action valve or an aerosol spray valve on this design. That's nonsense. With regard to this section, it is describing the type of cone that can be used with the can in Figures 13. It has nothing to do with the unique valve design in Figures 1-9. A tilt valve could not be used in the patented valve shown in Figures 1-9. Figures 10-19 relate to a

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separately patented double piston device. The section refers to that double piston device.

Page 69, line 15 Reason: 1

Change - I don't know. The whole patent was to do with viscous materials, so I couldn't tell you.

To - I don't know. This patented valve design had to do with viscous materials. So I couldn't tell you.

Page 73, lines 24-25 Reason: 1

Change - For example, standard aerosols, sprays, cone, tilt action valves.

To - For example, standard aerosol sprays and tilt action valves.

10th Aug. 2006  
Date

Bernard Frutin  
Bernard Frutin